4122

BILL NO. S-78-07-03

SPECIAL ORDINANCE NO. S- 113-78

AN ORDINANCE approving a contract between Gladieux Refinery, Inc. and the City of Fort Wayne by and through its Department of Public Safety for Fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 22, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and Gladieux Refinery, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of Gladieux Refinery, Inc. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast ¼ of Section 8.

67-008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast ¼ of Section 8.

67-9990-4012 South 86, 100 square feet Northeast ¼ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast ¼ Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast ¼ between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast ¼ South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

SECTION 2. That the cost to Gladieux Refinery, Inc. shall be the sum of $2,996.39, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Briggs
Councilman

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock ____ M., E.S.T.

DATE: 7-11-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9	0			
BURNS	X				
HINGA	X				
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER	X				
TALARICO	X				

DATE: 7-25-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. S-113-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978 at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 27th day of July, 1978, at the hour of 3 o'clock _____ M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. S-78-07-03

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving a contract between Gladieux Refinery, Inc., and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

VIVIAN G. SCHMIDT - VICE CHAIRMAN

JOHN NUCKOLS

PAUL M. BURNS

FREDRICK R. HUNTER

7-25-78
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1978, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast ¼ of Section 8.

67-008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast ¼ of Section 8.

67-9990-4012 South 86, 100 square feet Northeast ¼ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast ¼ Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast ¼ between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast ¼ South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of $237,070 issued by the Adams Township Assessor"s Office.

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1978 until June 21, 1979, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment,

materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, GLADIEUX REFINERY shall pay to CITY the sum of One and Two Thousand Six-Hundred Forty-Three Thousandths Dollars ($1.2643) per One Hundred Dollars ($100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of $237,070, the sum owing under this contract is $2,996.39. Said sum shall be payable upon execution of this contract.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

BY _____

CITY OF FORT WAYNE, INDIANA

By _____
Robert E. Armstrong, its Mayor

BOARD OF COMMISSIONERS
DEPARTMENT OF PUBLIC SAFETY

By _____
William L. Kerr, Sr. Acting Chairman

By _____
Solon Jennings, Member

ATTEST:

_____
William S. Coonan, Coordinator
Office of Emergency Services

I hereby certify that the foregoing contract was ratified and approved by the Common Council of the City of Fort Wayne, Indiana, on July 25, 1978.

_____
Charles W. Westerman, Clerk